

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

OLIVIA D. CARTER,
Plaintiff,

v.

ORDER
07-CV-219A

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 1, 2008, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion for judgment on the pleadings be granted and the complaint dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion for judgment on the pleadings is granted and the complaint is dismissed.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: January 5, 2009